

NOMINATION OF ESTEVAN R. LOPEZ TO BE COMMISSIONER OF RECLAMATION

NOMINATION OF MARCUS DWAYNE JADOTTE TO BE AN ASSISTANT SECRETARY OF COMMERCE

NOMINATION OF JONATHAN NICHOLAS STIVERS TO BE AN ASSISTANT ADMINISTRATOR OF THE UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT

NOMINATION OF JOHN CHARLES CRUDEN TO BE AN ASSISTANT ATTORNEY GENERAL

NOMINATION OF CHRISTOPHER SMITH TO BE AN ASSISTANT SECRETARY OF ENERGY (FOSSIL ENERGY)

The PRESIDING OFFICER. The Senate will now proceed to the following nominations, which the clerk will report.

The assistant legislative clerk read the nominations of Estevan R. Lopez, of New Mexico, to be Commissioner of Reclamation; Marcus Dwayne Jadotte, of Florida, to be an Assistant Secretary of Commerce; Jonathan Nicholas Stivers, of the District of Columbia, to be an Assistant Administrator of the United States Agency for International Development; John Charles Cruden, of Virginia, to be an Assistant Attorney General; and Christopher Smith, of Texas, to be an Assistant Secretary of Energy (Fossil Energy).

VOTE ON LOPEZ NOMINATION

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the nomination of Estevan R. Lopez, of New Mexico, to be Commissioner of Reclamation?

The nomination was confirmed.

VOTE ON JADOTTE NOMINATION

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the nomination of Marcus Dwayne Jadotte, of Florida, to be an Assistant Secretary of Commerce?

The nomination was confirmed.

VOTE ON STIVERS NOMINATION

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the nomination of Jonathan Nicholas Stivers, of the District of Columbia, to be an Assistant Administrator of the United States Agency for International Development?

The nomination was confirmed.

VOTE ON CRUDEN NOMINATION

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the nomination of John Charles Cruden, of Virginia, to be an Assistant Attorney General?

The nomination was confirmed.

VOTE ON SMITH NOMINATION

The PRESIDING OFFICER. The question is, Will the Senate advise and

consent to the nomination of Christopher Smith, of Texas, to be an Assistant Secretary of Energy (Fossil Energy)?

The nomination was confirmed.

Mr. REID. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. REID. I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Under the previous order, the motions to reconsider are considered made and laid upon the table and the President will be immediately notified of the Senate's action.

Mr. REID. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. REID. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

UNANIMOUS CONSENT REQUEST—S. 2244

Mr. REID. Mr. President, I ask unanimous consent that the Senate resume legislative session and proceed to the consideration of the House message to accompany S. 2244, which is the Terrorism Risk Insurance Act; that the majority leader be recognized for the purpose of offering a motion to concur in the House amendment to S. 2244; that there be up to 10 minutes of debate equally divided between the two leaders or their designees prior to a vote on the motion to concur; that there be no motions to concur with an amendment or motions to refer in order prior to a vote on the motion to concur; finally, the vote on adoption of the motion to concur be subject to a 60-affirmative-vote threshold.

The PRESIDING OFFICER. Is there objection?

Mr. COBURN. Reserving the right to object.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. COBURN. Mr. President, I thank Senator SCHUMER for trying to work with me on this bill, and the members of the banking committee. They have known my objections all along on both NARAB and the options we offered.

We offered this evening to the House three options under which they could enroll to come back to where the Senate had been in terms of a 2-year sunset provision. They disagreed with that. And the other options we offered—taking NARAB completely out of this bill—which doesn't have anything to do with the terrorism risk insurance bill, or to give States an opt-out so the States that don't want to be a part of the NARAB provision don't have to be a part of it, we have not been able to find agreement on that,

despite the best efforts of a lot of people here this evening.

I ask the majority leader if he would agree to amend his request to strike the NARAB provision from the bill.

The PRESIDING OFFICER. Does the majority leader so modify his request?

Mr. REID. Mr. President, reserving the right to object, my friend from Oklahoma seeks to amend the House-passed TRIA bill with an unrelated piece of legislation in the sense that he knows—we all know—would change the bill, it is gone, and that would be a modification to the bill. If the Senate were to amend TRIA, we would have to send it back to the House of Representatives. They are gone. They are not going to change anything in the bill. We have been told that many times. Amending the TRIA bill would be just another way to kill the TRIA bill.

I say with respect to my friend from Oklahoma, whom I have worked with for 10 years, from the very beginning we have tried to work out something with him on this bill. We have been unable to do that. It is unfortunate, but his objection is going to kill TRIA. I am very sorry about that, but that is a fact. So I cannot accept his modification.

The PRESIDING OFFICER. Objection is heard.

Is there objection to the original request?

Mr. COBURN. Reserving the right to object, to continue one portion of my statement, if I might.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. COBURN. According to industry calculations, TRIA has made the industry \$40 billion in the last 12 years. The American taxpayer takes all the risks, except for 35 percent, and the insurance industry makes the money.

We had a compromise bill coming out of the banking committee. My objections were well known at that time. They were trying to be accommodated by Senator SCHUMER.

With that, I must object to the bill. The PRESIDING OFFICER. Objection is heard.

CLOTURE MOTION

The PRESIDING OFFICER. Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the nomination of Stephen R. Bough, of Missouri, to be United States District Judge for the Western District of Missouri.

Harry Reid, Patrick J. Leahy, Christopher A. Coons, Dianne Feinstein, Richard J. Durbin, Richard Blumenthal, Brian Schatz, Debbie Stabenow, Michael F. Bennet, Jeff Merkley, Patty Murray, Barbara Boxer, Christopher Murphy, Edward J. Markey, Al Franken, Tom Harkin, Sheldon Whitehouse.

The PRESIDING OFFICER. The question is, Is it the sense of the Senate that debate on the nomination of Stephen R. Bough, of Missouri, to be United States District Judge for the Western District of Missouri, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from California (Mrs. BOXER), the Senator from Vermont (Mr. LEAHY), and the Senator from Vermont (Mr. SANDERS) are necessarily absent.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Tennessee (Mr. ALEXANDER), the Senator from Missouri (Mr. BLUNT), the Senator from Georgia (Mr. CHAMBLISS), the Senator from Mississippi (Mr. COCHRAN), the Senator from Nebraska (Mr. JOHANNES), the Senator from Illinois (Mr. KIRK), the Senator from Utah (Mr. LEE), and the Senator from Alabama (Mr. SESSIONS).

Further, if present and voting, the Senator from Tennessee (Mr. ALEXANDER) would have voted "nay".

The PRESIDING OFFICER (Mr. KING). Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 51, nays 38, as follows:

[Rollcall Vote No. 365 Ex.]

#### YEAS—51

Baldwin	Harkin	Nelson
Begich	Heinrich	Pryor
Bennet	Hirono	Reed
Blumenthal	Johnson (SD)	Reid
Booker	Kaine	Rockefeller
Brown	King	Schatz
Cantwell	Klobuchar	Schumer
Cardin	Landrieu	Shaheen
Carper	Levin	Stabenow
Casey	Manchin	Tester
Coons	Markey	Udall (CO)
Donnelly	McCaskill	Udall (NM)
Durbin	Menendez	Walsh
Feinstein	Merkley	Warner
Franken	Mikulski	Warren
Gillibrand	Murphy	Whitehouse
Hagan	Murray	Wyden

#### NAYS—38

Ayotte	Flake	Murkowski
Barrasso	Graham	Paul
Boozman	Grassley	Portman
Burr	Hatch	Risch
Coats	Heitkamp	Roberts
Coburn	Heller	Rubio
Collins	Hoeven	Scott
Corker	Inhofe	Shelby
Cornyn	Isakson	Thune
Crapo	Johnson (WI)	Toomey
Cruz	McCain	Vitter
Enzi	McConnell	Wicker
Fischer	Moran	

#### NOT VOTING—11

Alexander	Cochran	Lee
Blunt	Johanns	Sanders
Boxer	Kirk	Sessions
Chambliss	Leahy	

The PRESIDING OFFICER. On this vote, the yeas are 51, the nays are 38.

The motion is agreed to.

**NOMINATION OF STEPHEN R. BOUGH TO BE UNITED STATES DISTRICT JUDGE FOR THE WESTERN DISTRICT OF MISSOURI**

The PRESIDING OFFICER. The clerk will report the nomination.

The assistant legislative clerk read the nomination of Stephen R. Bough, of Missouri, to be United States District Judge for the Western District of Missouri.

The PRESIDING OFFICER. The majority leader.

#### ORDER OF PROCEDURE

Mr. REID. With this nomination, this will be the last vote of this Congress.

I ask unanimous consent that the remaining cloture motions with respect to judicial nominations be withdrawn and the Senate proceed to vote on the nominations in the order upon which cloture was filed and all time on the Bough nomination be yielded back.

The PRESIDING OFFICER. Without objection, it is so ordered.

All time is yielded back.

The question is, Will the Senate advise and consent to the nomination of Stephen R. Bough, of Missouri, to be United States District Judge for the Western District of Missouri.

Mrs. McCASKILL. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from California (Mrs. BOXER), the Senator from Vermont (Mr. LEAHY), and the Senator from Vermont (Mr. SANDERS) are necessarily absent.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Tennessee (Mr. ALEXANDER), the Senator from Missouri (Mr. BLUNT), the Senator from Georgia (Mr. CHAMBLISS), the Senator from Mississippi (Mr. COCHRAN), the Senator from Utah (Mr. HATCH), the Senator from Nebraska (Mr. JOHANNES), the Senator from Illinois (Mr. KIRK), and the Senator from Alabama (Mr. SESSIONS).

Further, if present and voting, the Senator from Tennessee (Mr. ALEXANDER) would have voted "no".

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 51, nays 38, as follows:

[Rollcall Vote No. 366 Ex.]

#### YEAS—51

Baldwin	Harkin	Nelson
Begich	Heinrich	Pryor
Bennet	Hirono	Reed
Blumenthal	Johnson (SD)	Reid
Booker	Kaine	Rockefeller
Brown	King	Schatz
Cantwell	Klobuchar	Schumer
Cardin	Landrieu	Shaheen
Carper	Levin	Stabenow
Casey	Manchin	Tester
Coons	Markey	Udall (CO)
Donnelly	McCaskill	Udall (NM)
Durbin	Menendez	Walsh
Feinstein	Merkley	Warner
Franken	Mikulski	Warren
Gillibrand	Murphy	Whitehouse
Hagan	Murray	Wyden

#### NAYS—38

Ayotte	Burr	Collins
Barrasso	Coats	Corker
Boozman	Coburn	Cornyn

Crapo	Inhofe	Risch
Cruz	Isakson	Roberts
Enzi	Johnson (WI)	Rubio
Fischer	Lee	Scott
Flake	McCain	Shelby
Graham	McConnell	Thune
Grassley	Moran	Toomey
Heitkamp	Murkowski	Vitter
Heller	Paul	Wicker
Hoeven	Portman	

#### NOT VOTING—11

Alexander	Cochran	Leahy
Blunt	Hatch	Sanders
Boxer	Johanns	Sessions
Chambliss	Kirk	

The nomination was confirmed.

**NOMINATION OF JORGE LUIS ALONSO TO BE UNITED STATES DISTRICT JUDGE FOR THE NORTHERN DISTRICT OF ILLINOIS**

**NOMINATION OF HAYWOOD STIRLING GILLIAM, JR., TO BE UNITED STATES DISTRICT JUDGE FOR THE NORTHERN DISTRICT OF CALIFORNIA**

**NOMINATION OF AMIT PRIYAVADAN MEHTA TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF COLUMBIA**

**NOMINATION OF ALLISON DALE BURROUGHS TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF MASSACHUSETTS**

**NOMINATION OF JOHN ROBERT BLAKEY TO BE UNITED STATES DISTRICT JUDGE FOR THE NORTHERN DISTRICT OF ILLINOIS**

**NOMINATION OF AMOS L. MAZZANT, III, TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF TEXAS**

**NOMINATION OF ROBERT LEE PITMAN TO BE UNITED STATES DISTRICT JUDGE FOR THE WESTERN DISTRICT OF TEXAS**

**NOMINATION OF ROBERT WILLIAM SCHROEDER III TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF TEXAS**